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**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

In Re DMCA Subpoena to Google, LLC.

X **Case No. 7:20-mc-00119**
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Petitioner, Watch Tower Bible and Tract Society of Pennsylvania (hereinafter
“Watch Tower”) through its undersigned counsel of record, hereby requests that the
Clerk of this Court issue a subpoena to Google, LLC to identify alleged infringers at
issue, pursuant to the Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 512(h)
(hereinafter the “DMCA Subpoena”). The proposed DMCA Subpoena is attached hereto
as Exhibit A.

The DMCA Subpoena is directed to Google LLC, the service provider of a
YouTube account to which the infringing party using the name “JW Apostate”
(<https://www.youtube.com/channel/UC09GQmDAFGLmaffWo16ETPg>) posted content.

Watch Tower conducted a good-faith fair use analysis of numerous infringing posts on the account at issue. The following URLs represent a sample of the infringing content posted to the YouTube account at issue:

- https://www.youtube.com/watch?v=S_272yXlc8g
- <https://www.youtube.com/watch?v=R1puwJAdUQg>
- <https://www.youtube.com/watch?v=R8tnpTpC1oc>
- <https://www.youtube.com/watch?v=emQqLZBAJ3g&feature=youtu.be>
- <https://www.youtube.com/watch?v=HSfILHwtOS0>

This content infringes copyrights held by Watch Tower. (*See* Declaration of Paul D. Polidoro dated February 27, 2020 (hereinafter “Polidoro Decl.”)).

Watch Tower has satisfied the requirements for issuance of a subpoena pursuant to 17 U.S.C. § 512(h), namely:

- (1) Watch Tower has submitted copies of notifications sent pursuant to 17 U.S.C. § 512(c)(3)(A) as Exhibit 1 to the Declaration of Paul D. Polidoro.
- (2) Watch Tower has submitted the proposed DMCA Subpoena attached hereto as Exhibit A; and
- (3) Watch Tower, through its counsel of record, has submitted a sworn declaration confirming that the purpose for which the DMCA subpoena is sought is to obtain the identity of an alleged infringer or infringers, and that such information will only be used for the purpose of protecting Watch Tower’s rights under Title 17 U.S.C. §§ 100, et.

seq.. *See* Polidoro Decl., ¶ 4.

Having complied with the statutory requirements, Watch Tower respectfully requests that the Clerk expeditiously issue and sign the proposed DMCA Subpoena pursuant to 17 U.S.C. § 512(h)(4).

Dated: February 27, 2020

/s/ Paul D. Polidoro
Paul D. Polidoro
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SDNY Bar No. PP2509
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